

**REMARKS**

Claims 1-15 remain pending. Claims 1, 6, and 11 have been amended. No new matter has been added.

Claims 1-15 stand rejected under 35 USC 112, second paragraph, based on the following phrase in claims 1, 6, and 11: “wherein the standard value of ordinary inventory is based on said sales fluctuation range amount.” Claims 1, 6, and 11 have been amended to recite that the standard value of ordinary inventory is “calculated as a sum of at least said sales fluctuation range amount and said second sales plan amount.” Support for the amendment can be found, for instance, in FIG. 7, element S1-7, and in the paragraph bridging pages 24 and 25 of the application as filed. In view of these amendments, claims 1, 6, and 11 comply with the requirements of 35 USC 112. Thus, the rejection of claims 1-15 under 35 USC 112 should be withdrawn.

Claims 1-15 stand rejected under 35 USC 103(a) on Kawashima, U.S. Patent No. 5,168,445, in view of Kagami, U.S. Patent No. 5,128,861 and Kakouros, U.S. Patent No. 7,249,068. Applicants respectfully traverse this rejection with respect to the claims as amended.

The claimed subject matter is directed to an inventory management system comprising a number of elements in combination. Representative claim 1, for example, recites a combination of elements for calculating a supplemental amount of inventory at a specific day. The supplemental amount is based on a first inventory amount and a lower limit inventory amount of the specific day. The first inventory amount is predicted based on a first sales plan amount, and the lower limit inventory amount is calculated based on a standard value of lump-sum inventory and a standard value of ordinary inventory. The cited references, taken individually or in combination, fail to disclose or suggest a similar combination.

Claim 1, as amended, recites a combination comprising “a step for calculating a lower limit inventory amount of said specific day as a sum of a standard value of lump-sum inventory and a standard value of ordinary inventory.” Support for this feature can be found, for instance, in FIG.

7, element S1-8, and page 25 of the application as filed. The cited references, taken individually or in combination, fail to disclose or suggest a similar combination.

The Examiner concedes that Kawashima and Kagami fail to disclose a step for calculating a lower limit inventory amount, and relies instead on Kakouros for teaching this feature. In particular, the Examiner cites Kakouros's equation 1 at col. 4 as disclosing the claimed calculation of a lower limit inventory amount and argues that it would have been obvious to combine this equation with Kawashima and Kagami to produce the claimed combination. Applicants respectfully disagree in light of the amendment to claim 1.

Unlike amended claim 1, Kakouros's equation 1 does not calculate a lower limit inventory amount as "a sum of a standard value of lump-sum inventory and a standard value of ordinary inventory." In fact, Kakouros's equation 1 does not make any distinction between lump-sum inventory and ordinary inventory. Thus, Kakouros fails to cure the defects in Kawashima and Kagami. Accordingly the rejection of claim 1 should be withdrawn.

Claim 1, as amended, further recites "calculating a first sales plan amount from a standard day, prior to said specific day, to said specific day based on sales performance data comprising sales performance for a first period between the standard day and the specific day, and sales plan data comprising a sales plan amount for the first period." The cited references, taken individually or in combination, fail to disclose or suggest a similar combination.

The Examiner compares the step of "calculating a first sales plan amount" with Kawashima's Figure 1, predictor 3, POS data 11, and col. 7, lines 47-48. This comparison is improper.

The claimed step uses both "sales *plan* data", and "sales *performance* data." Kawashima, by contrast, merely relies on past *performance* data and does not disclose or suggest the use of "sales plan data." The Examiner asserts that Kawashima's POS data 11 constitutes "sales performance data" and that the output of Kawashima's variable condition setter 2 constitutes "sales plan data." Applicants respectfully disagree.

Neither the output of Kawashima's variable condition setter 2 nor the related variable condition data 10 constitutes "sales plan data" as claimed. Kawashima's variable condition setter 2 sets variable condition data 10 to be used by sales volume predictor 3 when making sales predictions for a particular time period such as a day or week. Thus, the output of condition setter 2 merely acts as a selector for indicating variable conditions to be applied by sales predictor 3; it does not constitute "sales plan data."

Variable condition data 10, on the other hand, includes variables that may affect sales, such as "day of the week and any holiday or festivals," as illustrated, for instance, in Kawashima's FIG. 4. (See also, col. 3, lines 41-52.) Like the output of condition setter 2, these variables also do not constitute "sales plan data." For instance, it is unreasonable to interpret a variable such as "Thursday" to constitute "sales plan data" because the variable "Thursday" has nothing to do with a plan. It is merely one factor that may affect sales predictions. Sales volume predictor 3 receives the variables indicated by variable condition data 10 and uses them to tailor its predictions to certain days and so on. For instance, the variable "Thursday" may be supplied to sales volume predictor 3 to help it make sales predictions for this Thursday.

Additionally, sales volume predictor 3 uses variable condition data 10 to access only past sales data but not plan data. For instance, the variable condition "holiday" may cause sales volume predictor 3 to access past holiday *sales* data when making predictions about future holidays.

Finally, the Examiner cites Kawashima's recitation of "a sales plan" in col. 7, lines 47-48 to support the comparison between variable condition setter 2 and/or variable condition data 10 and the claimed "sales plan data." However, the citation refers to a "sales plan" generated on the basis of data produced by sales volume predictor 3. Thus, the cited "sales plan" is not related to variable condition setter 2 or variable condition data 10 as suggested by the Examiner.

Because Kawashima fails to disclose or suggest a combination of elements in which "a first sales plan amount" is calculated using both "sales *plan* data" and "sales *performance* data" as claimed, the rejection of claim 1 should be withdrawn.


Independent claims 6 and 11 recite features similar to those recited in claim 1, and were rejected on the exact same bases. Accordingly, these claims are allowable for reasons similar to those discussed above in relation to claim 1. The remaining claims depend from claims 1, 6, and 11 and are therefore allowable based on their respective dependencies.

In view of the foregoing, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **116692004100**.

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